

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

CORNELL HOLDEN and MIGUEL MEJIA, on
behalf of themselves and all others similarly
situated,

Plaintiffs,

-against-

THE PORT AUTHORITY OF NEW YORK AND
NEW JERSEY; THE PORT AUTHORITY
POLICE DEPARTMENT; and MICHAEL
OPROMALLA, SHAUN KEHOE, JOHN TONE,
JORDAN ESPOSITO, MICHAEL DEMARTINO,
RICHARD AYLNER, PAUL MILLER, JOHN
FITZPATRICK, PAUL O'DELL and OFFICERS
JOHN DOE 1-97, sued in their individual
capacities and official capacities as officers of the
Port Authority Police Department.

Defendants.

No. 1:17-CV-02192-JGK-RWL

**NOTICE OF MOTION FOR
PARTIAL SUMMARY
JUDGMENT**

PLEASE TAKE NOTICE that defendants, The Port Authority of New York and New Jersey (the Port Authority), The Port Authority Police Department (PAPD), Michael Opromalla, Shaun Kehoe, John Tone, Jordan Esposito, Michael DeMartino, Richard Aylmer, Paul Miller, John Fitzpatrick and Paul O'Dell, will move this Court pursuant to Fed. R. Civ. P. 56 upon the accompanying Rule 56.1 Statement, the Declaration of Thomas R. Brophy Esq. dated May 29, 2020, and exhibits thereto together with the Memorandum of Law and upon all pleadings and proceedings had heretofore herein, before the Hon. John G. Koeltl, at the courthouse at 500 Pearl Street, New York, N.Y. at such date and time as determined by the Court, for an order granting partial summary judgment dismissing all claims against the Port Authority and PAPD as stated in the Third and Fourth Causes of Action in the Second Amended Complaint, and all claims against all of the individual defendants based on the alleged denial of equal protection as stated in the

First and Second Causes of Action, and all claims for false arrest against the individual defendants Shaun Kehoe, Jordan Esposito, Michael DeMartino, Richard Aylmer, Paul Miller, John Fitzpatrick and Paul O'Dell as stated in the First and Second Causes of Action.

Answering papers, if any, are to be served on June 30, 2020 as per the order of the Court.

Reply Papers are to be served on July 17 as per the order of the Court.

Defendants respectfully request oral argument.

Dated: New York, NY
May 29, 2020

The Port Authority Law Department
Attorney for Defendants,
The Port Authority of New York and New Jersey,
The Port Authority Police Department, Michael
Opromalla, Shaun Kehoe, John Tone, Jordan
Esposito, Michael DeMartino, Richard Aylmer,
Paul Miller, John Fitzpatrick, and Paul O'Dell

By: /S/
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Via ECF

cc: The Legal Aid Society
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Via ECF

